

Message Text

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ACTION SCSE-00

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P R 231956Z JUL 74

FM AMEMBASSY PANAMA

TO SECSTATE WASHDC PRIORITY 1263

INFO AMCONSUL MARTINIQUE

UNCLAS PANAMA 4220

HP. SUMMARY: EMBASSY RECEIVED COMMERCIAL TELEGRAM FROM CONGRESS-
MAN JOHN M. MURPHY REQUESTING EMBASSY USE INFLUENCE IN COURT
CASE INVOLVING YACHT FLYING CLOUD. EMBASSY REQUESTS DEPARTMENT
INFORM MURPHY OF EMBASSY'S INQUIRIES AND PROVIDE TO EMBASSY
INFORMATION AVAILABLE TO IT RE POSSIBLE FRAUDULENT SALE OF YACHT.

2. EMBASSY RECEIVED COMMERCIAL TELEGRAM FROM MC JOHN M.
MURPHY WHICH IS QUOTED BELOW IN FULL:

3. BEGIN QUOTE: DEAR MR. AMBASSADOR PANAMANIAN REGISTRY
BARKENTINE YACHT FLYING CLOUD OWNED BY WINDJAMMER CRUISES
TIMIAMI IS COLLATERAL FOR MORE THAN DOLLARS 800,000 OWED TO US
MARITIME UNIONS BY WINDJAMMER. WINDJAMMER HAD MORTGAGE AND LIEN
EXPUNGED IN PANAMA BY PROCESS OF FRAUDULENT SALVAGE CLAIMS AND
SALE IN BRITISH TORTOLA WHICH NOW PUBLIC KNOWLEDGE. FLYING
CLOUD NOW INCORRECTLY REGISTERED UNDER OWNERSHIP OF JOSE FRANCO
A DOMINICAN REPUBLIC NATIONAL WHICH REGISTRATION UNIONS ARE
PROTESTING AND APPEALING IN REPUBLICA DE PANAMA COURT OF APPEALS
AND WHICH BEING HANDLED BY DR. RODOLFO CHIARI ABOGADO PANAMA.
UNDERSTAND FINAL COURT DECISION IS EXPECTED WEDNESDAY 24
JULY AND REQUEST YOU EXERT ALL POSSIBLE INFLUENCE TO
CORRECT THIS INJUSTICE AND CRIMINAL RESOLVEMENT. MISCHA
BERKOWITZ AKA CAPTAIN MIKE BURKE NOMINAL HEAD OF WIND-
JAMMER URINFO BURKE HAS LONG UNSAVORY RECORD NON PAYMENT
LEGAL DEBTS ATTACHMENTS IRS AND SUBVERSION OF FEDERAL
MARITIME LAWS. JOHN M. MURPHY MEMBER OF CONGRESS. END QUOTE.

4. EMBASSY HAS TALKED WITH LAWYER CHIARI WHO IS MEMBER OF
VERY REPUTABLE FIRM OF ICAZA, GONZALEZ-RUIZ AND ALEMAN. HE
STATED THAT HIS FIRM WAS REQUESTED TO REPRESENT NEW YORK
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CITY FIRM OF GRANT, HERRMANN AND SCHWARTZ IN CASE HERE IN

PANAMA AND THAT THEY REQUESTED THE PANAMA REGISTRY OFFICE TO NULLIFY THE CHANGE IN OWNERSHIP. WHEN THAT EFFORT FAILED, CASE WAS TAKEN TO SUPREME COURT WHERE ONE DECISION HAS ALREADY BEEN RENDERED AGAINST THEM. CHIARI HAS APPEALED UNDER CLAUSE IN LAW WHICH PROVIDES THAT COURT CAN REVERSE ITS PREVIOUS DECISION. OUTCOME OF APPEAL NOW PENDING AND EXPECTED SHORTLY, BUT NOT NECESSARILY ON JULY 24.

5. REQUEST DEPARTMENT INFORM CONGRESSMAN MURPHY THAT EMBASSY IS MAKING INQUIRIES REGARDING CASE BOTH WITH LAWYER CHIARI AND OFFICIAL IN MINISTRY OF HACIENDA IN CHARGE OF REGISTRY OF SHIPS AND CONSULAR SERVICE. MINISTRY OFFICIAL STATES THAT REGISTRY CHANGE WAS MADE ON BASIS OF APPLICATION BY JOSE FRANCO WHICH FORWARDED BY PANAMANIAN CONSUL IN PUERTO RICO AND THAT ALL PAPERS APPEAR TO BE IN ORDER. ALSO REQUEST DEPARTMENT URGENTLY PROVIDE EMBASSY WITH ANY BACKGROUND ON THIS CASE WHICH MIGHT TEND TO CONFIRM CHARGES IN MURPHY TELEGRAM OF FRAUDULENT CLAIMS.

6. ACCORDING CHIARI FLYING CLOUD IS NOT IN PANAMA BUT BEING HELD IN MARTINIQUE.

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